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FAX TRANSMISSION**DATE:** February 28, 2006**PTO IDENTIFIER:** Application Number 10/502,039-Conf. #2075

Patent Number

Inventor: Raimund Ströbel et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** RADER, FISHMAN & GRAUER PLLC

Michael B. Stewart

PHONE: (248) 594-0633**Attorney Dkt. #:** 60680-1948**PAGES (Including Cover Sheet):** 4**CONTENTS:** Response to Restriction Requirement (without Traverse) (2 pages)
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PTO/SB/97 (09-04)

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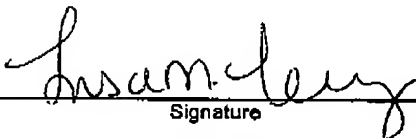
Application No. (if known): 10/502,039

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on February 28, 2006
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Lisa M. Terry

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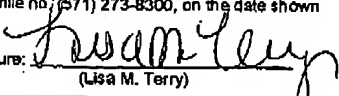
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Response to Restriction Requirement (without Traverse) (1 page)

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Dated: February 28, 2006 Signature: 
(Lisa M. Terry)

Docket No.: 60680-1948
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Raimund Ströbel et al.

Application No.: 10/502,039

Confirmation No.: 2075

Filed: January 22, 2003

Art Unit: 1745

For: BIPOLAR PLATE

Examiner: J. S. Maples

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed January 30, 2006, requiring a response to an election/restriction requirement.

The Examiner has indicated that the patent application contains claims directed to the following alleged patentably distinct species claimed in the invention:

Group I, claims 1-4, 16-23, drawn to a bipolar plate.

Group II, claims 14-15, drawn to a fuel cell stack.

Based on review of the claims, Applicants elect the claims of Group I, with traverse. Thus, 1-4 and 16-23 are selected explicitly for examination. However, it is respectfully submitted that the subject matter of both species is sufficiently related that a thorough search for the subject matter of one of the species would encompass a search for the subject matter of the other species. See MPEP § 803, which states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). This policy should apply in the present application to avoid unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office.

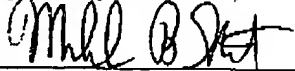
Application No.: 10/502,039

Docket No.: 60680-1948

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 60680-1948 from which the undersigned is authorized to draw.

Dated: February 28, 2006

Respectfully submitted,

By 

Michael B. Stewart

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